

UNITED STATES OF AMERICA)
)
 v.)
)
 Manning, Bradley E.)
 PFC, U.S. Army,)
 HHC, U.S. Army Garrison,)
 Joint Base Myer-Henderson Hall)
 Fort Myer, Virginia 22211)

**STIPULATION OF
EXPECTED TESTIMONY**

Mr. Jeffrey Motes

16 June 2013

It is hereby agreed by the Accused, Defense Counsel, and Trial Counsel, that if Mr. Jeffrey Motes were present to testify during the merits phase of this court-martial, he would testify substantially as follows:

1. I am a senior counter-terrorism analyst in the strategic fusion cell of the J-2 section at Joint Task Force – Guantanamo Bay (JTF-GTMO), a subcomponent of the United States Southern Command (USSOUTHCOM). In this position, my responsibilities include training, and reviewing the work product of, senior and junior intelligence analysts and producing material responsive to Requests for Information (RFI), such as threat assessments on current detainees. I have worked at JTF-GTMO since 2003. Prior to joining JTF-GTMO, I served on active duty in the United States Navy as a Cryptologic Technician Interpretive and Arabic linguist. I have been in the intelligence field for more than twenty-five years, and I have been an intelligence analyst for more than ten years.
2. Around January 2004, JTF-GTMO established the Detainee Assessment Branch in response to a request from the Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) for information to determine the enemy combatant status of particular detainees. The Detainee Assessment Branch was a J-2 element tasked with providing threat intelligence analysis on the detainees at JTF-GTMO. The threat intelligence analysis included the detainee’s threat to the United States and any potential intelligence value of the detainee.
3. OARDEC established two types of reviews for detainees at JTF-GTMO: (1) a Combatant Status Review Tribunal (CSRT) which conducted an initial review of the status of detainees to determine, among other things, whether the detainee was an enemy combatant; and (2) an Annual Review Board (ARB) which conducted annual reviews of the status of select detainees to determine, among other things, whether the detainee should remain at JTF-GTMO. The Detainee Assessment Branch provided initial assessments of detainees in support of the CSRT and updated assessments of detainees in support of the ARB.
4. In March 2004, I began working in the Detainee Assessment Branch as a producing intelligence analyst. In 2005, I became the team leader of the Detainee Assessment Branch. The Detainee Assessment Branch consisted of up to twenty senior and junior intelligence analysts, both military and civilian. My responsibilities as team leader included training the team responsible for preparing assessments on detainees, preparing assessments on detainees, and coordinating between the intelligence analysts assigned to the Detainee Assessment Branch and the United States Government. I worked in the Detainee Assessment Branch as the team leader until 2012, with the exception of one year from 2009-2010 when I worked at USSOUTHCOM as

a Subject Matter Expert (SME) on Sunni extremism for South America. Before joining the Detainee Assessment Branch, I was a senior intelligence analyst on a tiger team responsible for preparing detainee assessments and debriefing detainees upon arrival at JTF-GTMO.

5. The detainee assessments were a recommendation to USSOUTHCOM for the disposition of detainees, which included the detainee's threat level and intelligence value to the United States and its allies. I am very familiar with the detainee assessments prepared by JTF-GTMO. I am familiar with the format, letterhead, and structure of the detainee assessments.

6. I am very familiar with how detainee assessments were produced because I created, and trained others how to create, detainee assessments. I am also very familiar with the process necessary to create the detainee assessments because I either was responsible for many steps of this process or I tracked the status of this process. I have been responsible for the first four steps of the below process during my tenure at JTF-GTMO.

7. The process to create a detainee assessment was as follows:

a. First, a senior or junior intelligence analyst reviewed any previously written intelligence memoranda and any additional intelligence relating to the detainee that was stored in the Joint Detainee Information Management System (JDIMS), the classified database at JTF-GTMO that stored intelligence relating to detainees. JDIMS was available on SIPRNET; however, a user could not access JDIMS without being granted a separate account. Further, even with a JDIMS account, the user did not have full access to all of the intelligence stored in JDIMS. The senior or junior intelligence analyst also conducted additional research in multiple intelligence databases located on classified networks, outside of JDIMS, on the particular detainee.

b. Second, the senior or junior intelligence analyst drafted the detainee assessment, which included the analysis as to the detainee's threat level and intelligence value to the United States and its allies.

c. Third, the draft detainee assessment was submitted to another senior or junior intelligence analyst for peer review. The intelligence analyst reviewed the draft detainee assessment, conducted individual research and analysis on the detainee, and provided edits and/or comments.

d. Fourth, the draft detainee assessment was submitted to a senior intelligence analyst for Quality Assurance Quality Control (QAQC) who conducted further research and analysis on the detainee to collect any additional intelligence and to verify the logic of the analysis on the detainee. The senior intelligence analyst provided edits and/or comments.

e. Fifth, the draft detainee assessment was submitted to the Officer-in-Charge (OIC) of the Detainee Assessment Branch who conducted further research and analysis on the detainee to collect any additional intelligence from the classified network and to verify the logic of the analysis on the detainee. The OIC provided edits and/or comments.

f. Sixth, the draft detainee assessment was submitted to the Office of the Staff Judge Advocate (OSJA) for legal review. The OSJA reviewed the draft detainee assessment and provided any edits and/or comments.

g. Seventh, the draft detainee assessment was submitted to the Joint Intelligence Group (JIG) or J-2 Director. The JIG or J-2 Director reviewed the draft detainee assessment and provided any edits and/or comments.

h. Eighth, the draft detainee assessment was submitted to the Deputy Commander, JTF-GTMO. The Deputy Commander, JTF-GTMO, reviewed the draft detainee assessment and provided any edits and/or comments.

i. Ninth, the draft detainee assessment was submitted to the Commander, JTF-GTMO. The Commander, JTF-GTMO, reviewed the draft detainee assessment and provided any edits and/or comments. Once all changes were made, the Commander, JTF-GTMO, signed the detainee assessment.

j. Tenth, the signed detainee assessment was submitted to OARDEC through USSOUTHCOM.

8. I am very familiar with how long the above process took to complete one detainee assessment. The first two steps of this process, having the initial intelligence analyst create a draft detainee assessment, took no less than one week, including overtime, to complete. To the best of my memory, completing one draft detainee assessment took, on average, 50-55 working hours. The third step of this process, having another intelligence analyst conduct peer review of the draft detainee assessment, took, on average, 2 working hours per assessment. The fourth step of this process, having a senior intelligence analyst conduct QAQC of the draft detainee assessment, took, on average, 16 working hours per assessment. Each remaining step necessary to complete one detainee assessment took between a few hours to one week to complete. In total, the entire process to create one detainee assessment took approximately one month and consisted of, on average, 80-90 working hours. The most detainee assessments created in one fiscal year was approximately 520.

9. Both Servicemembers and civilian contractors were involved in the above process to create one detainee assessment. The lowest ranking Servicemember involved in this process was E-4, Specialist. The lowest ranking civilian contractor involved in this process was equivalent to a GS-12 employee. My rank when I was involved in creating detainee assessments was equivalent to a GS-13 employee, and my lowest salary during this time was approximately \$70,000 per year.

10. I am very familiar with what type of intelligence was included in detainee assessments. Detainee assessments include, among other things, background information on the detainee, details of the detainee's capture, the detainee's affiliation with terrorist organizations, the detainee's recruitment and travel, the reasons for the detainee's transfer to JTF-GTMO, indicators of the detainee's threat level and intelligence value to the United States and its allies, and the analysis of the detainee's threat level and intelligence value to the United States and its allies. **Prosecution Exhibit (PE) 102 for Identification** is the classified list of the different

sources of classified intelligence reporting from which I and the other analysts derived the information used in the assessments.

a. The background information on the detainee included, among other things, the detainee's biographical data, picture, health information, employment, religion, and family members or relatives with extremist links. This information was obtained from a variety of intelligence sources and was included in the detainee assessments as part of the intelligence analysis to determine the detainee's commitment to terrorist organizations, which were important factors in determining the detainee's threat level and intelligence value to the United States and its allies. I understand that all of this data would be known to the detainee and may be known by his associates listed. However, since we usually do not learn all of this information from the detainee himself, the detainee may not understand the extent of what the United States knows about his background information.

b. The details of the detainee's capture included, among other things, how the detainee became involved in activities that led to capture, where, how, and with whom the detainee was captured, what the detainee was doing when captured, events such as engagements with United States military forces that led to the detainee's capture, and the date of transfer to JTF-GTMO. This information was obtained from a variety of intelligence sources and was included in the detainee assessments as part of the analysis to determine the detainee's affiliation and commitment to terrorist organizations, which were important factors in determining the detainee's threat level and intelligence value to the United States and its allies. I understand that most, if not all, of this data would be known to the detainee or may be known by his associates. However, since we usually do not learn all of this information from the detainee himself, the detainee may not understand the extent of what the United States knows about the details of his capture.

c. The detainee's affiliation with terrorist organizations included individuals the detainee associated with at the terrorist organizations and the detainee's movements within the terrorist organizations. This information was obtained from a variety of intelligence sources and was included in the detainee assessments as part of the analysis to determine the detainee's affiliation and commitment to terrorist organizations, which were important factors in determining the detainee's threat level and intelligence value to the United States and its allies. I understand that all of this information would be known to the detainee and may be known by his associates listed. However, since we usually do not learn all of this information from the detainee himself, the detainee may not understand the extent of what the United States knows about his affiliation with terrorist organizations.

11. PE 1.3 for ID includes serialized intelligence reports published to the Intelligence Community (IC) and intelligence information. The serialized intelligence reports published to the IC include Items 5, 15-19, 30, 31, 34, and 35 in PE 1.3 for ID. Intelligence information is included in all of the sources in PE 1.3 for ID, except for Items 1, 20, 27, and 28. Information can be derived from all sources in PE 1.3 for ID and included in serialized intelligence reports published to the IC.

12. I am very familiar with where detainee assessments are stored. Detainee assessments are stored in three locations: (1) on the shared drive at JTF-GTMO which is located on the Secure Internet Protocol Router Network (SIPRNET); (2) after signed by the Commander, JTF-GTMO, on JDIMS which is located on the SIPRNET; and (3) in a database accessible through the JTF-GTMO Detainee Assessment Branch website on Intellipedia which is located on the SIPRNET. Intellipedia, which is analogous to Wikipedia, is a website on the SIPRNET that allows for the sharing of intelligence in the IC and to analysts on SIPRNET and JWICS.

13. In March 2009 and in response to a tasking from J-2 at JTF-GTMO, I created the database accessible through the JTF-GTMO Detainee Assessment Branch website on Intellipedia. It took me approximately 63 working hours to create this database, which included time to research the structure of the write-up language, find and update all source documents, and link each file to the correct detainee. This database stored all detainee assessments, which totaled more than 700. I have spent approximately 50 additional hours updating and otherwise maintaining this database.

14. The filename for each detainee assessment in this database included the Internment Serial Number (ISN) for the particular detainee, the recommendation for the detainee, and the date of the detainee assessment. The format of this filename was as follows: "ISN_recommendation_date." The filename was linked to a unique, sequential document identification number (Document ID), which was the particular detainee assessment. If a user who accessed the database through the JTF-GTMO Detainee Assessment Branch website scrolled over the filename with his/her mouse, the document number would appear.

15. In my capacity as the team leader of the Detainee Assessment Branch, I reviewed five detainee assessments pertaining to United States v. Private First Class Bradley Manning, which the prosecution provided to JTF-GTMO. These detainee assessments are located in **Appellate Exhibit (AE) 501** and have the BATES numbers 00378123-00378140. **PE 95 for ID** contains these five detainee assessments. I am able to identify these documents as detainee assessments based on the format, letterhead and content of the documents.

16. The five detainee assessments within **PE 95 for ID** are all marked, at the top and bottom of each page, "SECRET." None of the five detainee assessments within **PE 95 for ID** has been made publicly available by the United States Government.

17. The five detainee assessments within **PE 95 for ID** identify activities related to national preparedness. These documents include the following matters: (1) United States intelligence relating to identified associates of terrorist organizations, to include names, affiliations, and whereabouts; (2) United States intelligence relating to training activities of those terrorist organizations, to include the substance of such training; (3) United States intelligence relating to the Tactics, Techniques, and Procedures (TTPs) of those terrorist organizations, to include details relating to enemy movement, housing networks, and recruiting activities; (4) United States intelligence relating to enemy engagement with United States military forces; (5) our intelligence analysis of the detainee's cooperation and credibility, which, if released, could affect the subsequent recruitment of the detainee and the willingness of countries to accept the departing detainee; (6) United States analysis of the intelligence value of the detainee, to include any intelligence gaps of the United States relating to members of terrorist organizations,

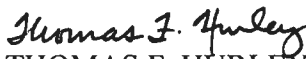
terrorist's recruiting activities, and future operations; and (7) United States intelligence relating to the detainee's threat level to the United States and its allies. I understand that there are portions of this material that would already be known to the detainee or his associates. However, neither the detainee nor his associate would know our analysis relating to the detainee. Further, neither the detainee nor his associate may understand the extent of what the United States knows about the detainee. I understand that the detainee, if released, could share the information known by the detainee with anyone. Of that information which we learned from the detainee, I am not aware of any detainee who has shared all of that information. I also understand that the associates of the detainee could share information relating to the detainee known by the associate with whomever they pleased. Of that information relating to the detainee which we learned from an associate, I am not aware of any associate who has shared all of that information relating to the detainee.

18. I am aware that there is some information pertinent to these documents available in open source material. I am also aware of the extensive litigation that happens for these detainees in federal court and the military commissions. I did not consider those things when I identified the sources of intelligence for the above detainee assessments, which was the only role I played during the classification review.

19. In October of 2007, I am aware that the Department of Defense released in the FOIA reading room the Combatant Status Review Tribunals (CSRT) and the Administrative Review Boards (ARB) documents held between July 2004 and July 2007. The CSRTs were a set of tribunals for confirming whether detainees held by the United States at Guantanamo had been correctly designated as "enemy combatants." The ARBs were used to conduct an annual review of the detainees to review whether they still represent a threat or not to the United States. The released information identified each detainee by name and their general background information for those individuals still held at JTF-GTMO at that time.



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